

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

Willie D. JOHNSON,

Petitioner,

V.

Robert K. WONG, Acting Warden of San Quentin
State Prison.

Respondent.

Case Number 3-98-cv-4043-SI

DEATH-PENALTY CASE

**ORDER DIRECTING FILING OF
JOINT STATEMENT**

1

In each of the last two joint status reports and scheduling memoranda submitted in the present action, the parties have stated, “All counsel recognize that this case must receive full attention immediately.” Yet it has now been more than ninety days since the parties were to have submitted a new joint statement to assist the Court in determining an appropriate date for the evidentiary hearing that has been granted in this matter.

According to their last joint statement, the parties were to have determined in January 2009 whether additional depositions of jurors and defense experts would be necessary. In addition, the parties were continuing their attempts to contact trial counsel Virginia Hart to schedule a deposition, and they “agreed to ensure that the deposition [of Petitioner] takes place before the end of June 2009.” Finally, “[t]he parties have also agreed to resolve other outstanding evidentiary issues by stipulation.”

In light of the scheduling of Petitioner's deposition "before the end of June 2009," and good cause appearing therefor, the parties shall file a joint statement on or before June 30, 2009, to inform the Court of the status of all depositions and stipulations. The parties also shall indicate in the statement when they will be prepared for the evidentiary hearing.

The Court is determined to resolve the present action expeditiously. Accordingly, if the parties fail to meet any further deadlines set in this matter, the Court will consider taking any and all appropriate actions to ensure compliance with its orders.

It is so ordered.

DATED: 6/16/09

Susan Illston
SUSAN ILLSTON
United States District Judge